

Message Text

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ORIGIN NEA-10

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APPROVED BY NEA:SSOBER

PM:MAS:RSMITH (DRAFT)

L/PM:JMICHEL (DRAFT)

NEA/ARN:ARDAY

DOD/ISA:MLEISER (SUBS)

NEA/IRN:CWNAAS

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P 311630Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY AMMAN PRIORITY

AMEMBASSY TEHRAN PRIORITY

S E C R E T STATE 180659

E.O. 11652: GDS

TAGS: MILI, MASS, IR, JO

SUBJECT: ARMS TRANSFERS TO JORDAN

REFS: TEHRAN 7299, AMMAN 5027

1. ADDRESSEES SHOULD INFORM APPROPRIATE HOST GOVERNMENT OFFICIALS AT EARLIEST OPPORTUNITY THAT USG DOES NOT RPT NOT CONSIDER THAT ITS APPROVAL IN DECEMBER 1974 FOR TRANSFER BY IRAN TO JORDAN OF 24 F-5A/B AIRCRAFT EXTENDS TO ORDNANCE THAT CAN BE USED BY THOSE AIRCRAFT. AIRCRAFT SPARES AND AGE MAY BE ASSUMED AS COMING UNDER APPROVAL FOR AIRCRAFT ON A ONE-TIME BASIS AT TIME OF TRANSFER, BUT SEPARATE REQUEST IS REQUIRED FOR TRANSFER OF ORDNANCE OR SUBSEQUENT TRANSFERS OF SPARES. ACCORDINGLY, ANY GOVERNMENT REQUESTING APPROVAL OF SUBSEQUENT TRANSFERS MUST PRESENT COMPLETE LIST OF NEW ITEMS PROPOSED FOR TRANSFER.

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2. OUR LETTERS TO CONGRESS LAST DECEMBER REQUIRED BY SECTION 3(A) OF THE FOREIGN MILITARY SALES ACT, SPOKE ONLY OF 24 F-5A/B AIRCRAFT AND DID NOT TOUCH UPON ANY ANCILLARY EQUIPMENT AND MUNITIONS. WHILE WE MAY BE ABLE TO ACCEPT SIMULTANEOUS GOI-GOJ TRANSFER OF AGE AND SPARES AS REASONABLY INCLUDED IN APPROVAL ON GROUNDS THAT THEY

CUSTOMARILY ACCOMPANY THE TRANSFER OF WHOLE AIRCRAFT, WE COULD NOT RPT NOT DO SO WITH RESPECT TO SUBSEQUENT TRANSFERS OF AGE AND SPARES AND ESPECIALLY NOT FOR MUNITIONS. WE CANNOT CONSIDER THE LATTER AS INTEGRAL PART OF THE AIRCRAFT AND THEREFORE IMPLICITLY INCLUDED IN ORIGINAL APPROVAL. WE MUST THEREFORE INSIST ON BOTH LEGAL AND POLICY GROUNDS THAT ANY ONGOING TRANSFERS OF US-ORIGIN MILITARY EQUIPMENT FROM IRAN TO JORDAN CONSEQUENT TO THE ORIGINAL TRANSFER BE TREATED AS DISTINCT THIRD-PARTY TRANSFER CASES SO THAT CONGRESS CAN BE NOTIFIED IN ADVANCE AND THIRD-PARTY TRANSFER ASSURANCES BE OBTAINED. PROBLEM IS NOT WITH JORDAN AS RECIPIENT BUT WITH FACT THAT LEGALLY REQUIRED PROCEDURES FOR TRANSFER HAVE NOT BEEN FOLLOWED.

3. FOR TEHRAN: DRAWING ON ABOVE, YOU SHOULD INFORM GOI THAT YOU HAVE BEEN INSTRUCTED TO REQUEST THAT FURTHER TRANSFERS TO JORDAN OF US-SUPPLIED MUNITIONS AND EQUIPMENT BE DISCONTINUED IMMEDIATELY. YOU SHOULD STATE THAT IN FUTURE WE SHOULD BE CONSULTED IN ANY CASES WHERE THERE IS UNCERTAINTY ABOUT WHAT OUR POLICY IS ON TRANSFERS OR ABOUT WHAT ITEMS OUR APPROVAL OF A TRANSFER COVERS; GOI SHOULD UNDERSTAND VERY STRONG PRESCRIPTIONS REGARDING PRIOR USG APPROVAL OF TRANSFERS TO ANY THIRD COUNTRY OF US-SUPPLIED DEFENSE EQUIPMENT. YOU MAY SAY THAT WE ARE PREPARED TO GIVE PROMPT ATTENTION TO REQUESTS FOR APPROVAL IF IRAN WISHES TO TRANSFER ADDITIONAL MATERIALS TO JORDAN.

4. YOU SHOULD REQUEST COMPLETE LIST OF EQUIPMENT TRANSFERRED TO JORDAN IN CONNECTION WITH F-5S.

5. FOR AMMAN: RE AMMAN 5114: A) INFORMATION ON
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ORDNANCE TRANSFERS WAS AVAILABLE FROM SOURCES IN IRAN AS WELL AS JORDAN, SO ACTION REQUESTED IN THIS MESSAGE SHOULD NOT BLOW SOURCES IN JORDAN;

B) WE HAVE NO RPT NO CHOICE BUT TO SEEK TO STOP THESE TRANSFERS, EVEN THOUGH MADE IN GOOD FAITH UNDER MISINTERPRETATION OF OUR THIRD-PARTY TRANSFER RESTRICTIONS, IF WE ARE NOT TO JEOPARDIZE OUR ABILITY TO

CONTINUE FMS SALES TO JORDAN AND IRAN. IF FURTHER TRANSFERS ARE REQUIRED, WE ARE PREPARED TO GIVE PROMPT CONSIDERATIONS TO REQUESTS THAT MEET OUR LEGAL REQUIREMENTS. THIS DOES NOT ENTIRELY SATISFY YOUR REQUEST IN PARA 4 OF AMMAN 5114, BUT SHOULD KEEP DELAYS TO A MINIMUM AND ALLOW YOU TO EXPLAIN THEM TO GOJ IN MANNER YOU HAVE SUGGESTED.

6. PLEASE CONTINUE TO REPORT ANY DELIVERIES OF US-SUPPLIED DEFENSE EQUIPMENT TO JORDAN FROM IRAN OR OTHER THIRD-COUNTRY SOURCE. INGERSOLL

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Margaret P. Grafeld
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